



UNITED STATES
PATENT AND
TRADEMARK OFFICE

DEC 24 2002

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of :
Vilmos Kéri et al :
Serial No.: 09/578,587 : PETITION DECISION
Filed: April 19, 2000 :
Attorney Docket No.: 5173 :
:

This is in response to applicants' petition under 37 CFR 1.181, filed October 1, 2002, requesting review of the petition decision mailed September 20, 2002.

The file history is set forth in the previous petition decision and not repeated here. The petition decision denied applicants' petition regarding prematurity of the Final Office action. It is noted that errors in the Advisory Action mailed after the petition was filed, but prior to the petition being acted on, corrected any errors in the original Advisory Action. In view of the examiner correction of those errors the petition was denied. Applicants' petition reiterates the same errors as the basis for withdrawing the Finality of the last Office action.

DISCUSSION

A review of the previous petition decision and circumstances surrounding it has been made. No error in the decision is noted. All of applicants' arguments for withdrawal of the Finality of the Office action were addressed by the decision or prior action of the examiner. Further, it is noted that RCE papers have been filed (October 7, 2002) the entry of which will remove the Finality of the last Office action. It is also noted that applicants' required response which must accompany RCE papers is not submitted in a paper separate from the RCE request papers as should be done. However, the remarks will be considered as satisfying the requirements of 37 CFR 1.114.

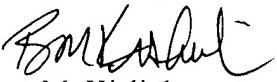
DECISION

Applicants' renewed petition is **DENIED**.

The application will be forwarded for proper entry of the RCE request prior to forwarding to the examiner for further action.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 305-7230..

Any request for reconsideration of this decision must be made within TWO MONTHS of the mailing date of this decision and should be addressed to the Office of Petitions.


Bruce M. Kisliuk
Director, Technology Center 1600